

THE LAW

The following link will take you to the full text of the 2001 ESEA Reauthorization. The homeless program is found in Title X, Part C, Subtitle B.

In 1995 the Montana Legislature amended Section 20-5-101, MCA, to address one of the recognized barriers in Montana schools:

“An act requiring a school district to waive tuition for a child who is defined as a homeless child under the federal Stewart B. McKinney Act; Amending section 20-5-101, MCA; and providing an immediate effective date.”

“20-5-101, (4) The trustee shall assign and admit a child who is homeless, as defined in the Stewart B. McKinney Act (P.L. 100-77), to a school in the district regardless of residence. The trustees may not require an out-of-district attendance agreement or tuition for a homeless child.”